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November 15, 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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The Honorable Vernon J. Ehlers  
U.S. House of Representatives  
1526 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Ehlers:

Thank you for your letter on behalf of David O. Wood, Sheriff, Barry County, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

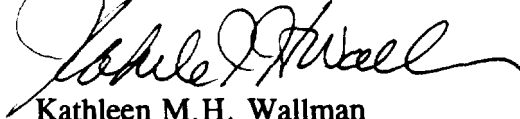
BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Vernon J. Ehlers  
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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kathleen M.H. Wallman".

Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures



OLA  
92-77  
4880

# Congress of the United States of America

House of Representatives

Vernon J. Ehlers

September 23, 1994

Michigan

Reed Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, Room 802  
Washington, D.C. 20554

Dear Mr. Hundt:

Enclosed is a copy of a letter I have received from a constituent regarding Billed Party Preference at incarceration facilities. I share Sheriff Wood's concern about this issue and I would appreciate any light you can shed on the handling of these services.

Thank you in advance for any assistance you can give me.

Sincerely,

Vernon J. Ehlers  
Member of Congress

VJE:dsm  
Enclosure





WOOD 412822  
Reid Hunt 412836

# Barry County Sheriffs' Department

1212 WEST STATE STREET • HASTINGS, MICHIGAN 49058

DAVID O. WOOD  
SHERIFF  
JAMES R. ORR  
UNDERSHERIFF

August 9, 1994

AUG 19 1994

The Honorable Vern Ehlers  
House of Representatives  
1526 Longworth Building  
Washington, DC 20515

Re: CC Docket No. 92-77 Opposition to Billed Party

Dear Mr. Ehlers:

As Sheriff of Barry County, Michigan I am writing in opposition of the application of Billed Party Preference (BPP) in inmate facilities, one of which I am responsible for.

This facility is presently under contract with a single carrier that not only provides equipment and a percentage rate to the county for the use of the phones by inmates, but even more importantly controls the security of phone access. All this would be lost if BPP were to take effect.

The operation of a jail such as ours in a small community represents a drain on local tax dollars. To purchase phone equipment to the extent that we now provide without the private carrier would be impossible. It would mean returning to one or two instruments for an average of 55 inmates per day, all needing some type of access to a phone for personal business, court business and conferring with counsel. Correction Officers would be spending an unreasonable amount of time moving inmates to phone areas, screening calls and attempting to recoup expenses incurred by the inmate calls.

Revenues would be lost, that is now a part of defraying the tremendous cost of operating a jail.

Control over the types and destination of calls would be lost. Inmates would be able to make harassing calls that are now controlled through the present system.

As Sheriff I am concerned with the protection of the public from inmates that would misuse a system without controls while at the same time concerned with the protection of the inmates rights. The present system meets these concerns. BPP would strip us of our ability to maintain a proper balance between inmates rights

and the public rights.

Therefore, I ask that BPP not be applied to inmate facilities. I believe that Sheriff's have prove that they are capable of managing their facilities in the best interest of their communities when given proper tools and authority. BPP would remove one of the tools they have to control their facility.

Respectfully submitted

*David O. Wood*

David O. Wood, Sheriff of Barry County  
Barry County Jail  
1212 W. State St.  
Hastings, MI 49058